



DEAN D. EFSTATHIOU, Acting Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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October 21, 2008

IN REPLY PLEASE

REFER TO FILE: **WM-4**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AS-NEEDED URBAN RUNOFF AND STORMWATER
QUALITY ENGINEERING SERVICES
AWARD CONSULTANT SERVICES AGREEMENT
(ALL SUPERVISORIAL DISTRICTS)
(4 VOTES)**

SUBJECT

This action is to award and authorize the Acting Director of Public Works or his designee to enter into three separate consultant services agreements with Brown and Caldwell; Larry Walker Associates, Inc.; and Weston Solutions, Inc.; to provide urban runoff and stormwater quality engineering services for the Los Angeles County Flood Control District and the County unincorporated areas. The services are necessary to comply with Federal regulatory requirements related to the Clean Water Act such as the County of Los Angeles National Pollutant Discharge Elimination System Permit and Total Maximum Daily Loads. This action also authorizes the transfer of \$6.7 million from Provisional Financing Uses to the Department of Public Works to finance the above services for the County unincorporated area.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Award a consultant services agreement in amounts not to exceed \$7.0 million to each of the firms of Brown and Caldwell; Larry Walker Associates, Inc.; and Weston Solutions, Inc.; to provide as-needed urban runoff and stormwater quality engineering services.

2. Authorize the Acting Director of Public Works or his designee to enter into separate consultant services agreements with each of the above three firms for three years from the date of the initial Notice to Proceed with the option to extend for two additional one-year terms.
3. Approve the Budget Adjustment transferring \$6.7 million from Provisional Financing Uses to the Department of Public Works for urban runoff and stormwater quality engineering services related to the County unincorporated area.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to award and authorize the Acting Director of Public Works or his designee to enter into a consultant services agreement with each of the three recommended firms. The Los Angeles County Flood Control District (LACFCD) and County unincorporated areas are experiencing increasing Federal regulations that require urban runoff and stormwater quality engineering services. These regulations include the County of Los Angeles National Pollutant Discharge Elimination System (NPDES) Permit and Total Maximum Daily Loads (TMDLs). The current and anticipated workload exceeds the capacity of existing County resources. These agreements are an efficient means of providing as-needed services while reducing procurement costs associated with individual contracts. Approving the recommended consultant services agreements will also provide Public Works with expertise not currently available.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Organizational Effectiveness (Goal 3) because the specialized expertise to perform the required services are not currently available within Public Works; and directs the provision of Community Services (Goal 6) to improve the quality of life for the residents of Los Angeles County's unincorporated communities.

FISCAL IMPACT/FINANCING

Each agreement is for an amount not to exceed \$7.0 million per consultant firm for three years including an option for two 1-year extensions. It is expected the initial three-year term will start during Fiscal Year 2008-09.

The attached Budget Adjustment will authorize the transfer of \$6.7 million from Provisional Financing Uses to the Department of Public Works for Fiscal Year 2008-09 for engineering services related to meeting TMDLs in the County unincorporated areas. This Budget Adjustment will be supplemented with \$1.3 million in funding approved by

the Board in the Fiscal Year 2008-09 Supplemental Budget. The net County cost for these contracts will not exceed \$8.0 million.

The LACFCD has budgeted \$3.0 million in Fiscal Year 2008-09 and will finance the remaining \$10.0 million in future fiscal years. The total contract amount will not exceed \$21.0 million, \$8.0 million in net County cost and \$13.0 million in Flood Control District funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

A standard agreement, previously approved as to form by County Counsel, will be used. The standard agreement contains terms and conditions supporting your Board's ordinances, policies, and programs, including but not limited to: County's GreaterAvenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation. The standard contract also includes a cost-of-living adjustment provision in accordance with your Board's policy, which was approved on January 29, 2002. Data regarding the proposers' minority participation are on file with Public Works.

The three agreements and their Scopes of Work will contain provisions requiring the consultants to report solicitations of improper consideration by County employees and allowing the County to terminate the agreements if it is found that the consultants offered or gave improper consideration to County employees.

ENVIRONMENTAL DOCUMENTATION

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15306 of the CEQA Guidelines and Class 6 of the County Environmental Guidelines adopted by your Board on November 17, 1987. These exemptions provide for data collection and resource evaluation activities.

CONTRACTING PROCESS

On May 5, 2008, Public Works sent out Request for Proposals to 123 firms and advertised on the County website. A total of nine firms responded to the Request for Proposals.

An Evaluation Committee, comprised of Public Works' staff, evaluated the proposals and selected three firms as the best qualified firms to provide as-needed engineering services. The firms selected were Brown and Caldwell; Larry Walker Associates, Inc.; and Weston Solutions, Inc. The evaluation was based on technical expertise, proposed work plan, experience, personnel qualifications, and understanding of the work requirements. The selection was done without regard to race, creed, color, or gender. As projects develop, Public Works will alternate work between the three firms based on the nature of the work involved.

Participation by Community Business Enterprises (CBEs) in the project is encouraged through Public Works' CBE Outreach Program and the requirement that consultants demonstrate their good faith efforts to utilize CBEs. The recommended firms are aware of Public Works' CBE Outreach Program, and their proposed CBE participation is on file with the Los Angeles County Flood Control District.

Public Works has evaluated and determined that the Living Wage Program, County Code, Chapter 2.201, does not apply to the recommended agreement as this agreement is for non-Proposition A services.

As requested by your Board on February 3, 1998, and to further increase consultant awareness of contracting opportunities, this agreement opportunity was listed on the County's "Doing Business with Us" website.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

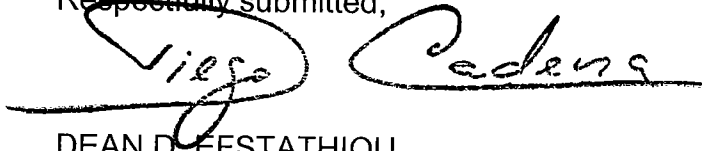
The consultant services agreements will enable Public Works to comply with Federal regulatory requirements such as the County of Los Angeles NPDES Municipal Stormwater Permit and existing and future TMDLs. Approval of the recommended actions will have no negative impact on current County services or projects during the performance of the recommended consultant services.

The Honorable Board of Supervisors
October 21, 2008
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CONCLUSION

Please return two adopted copies of this letter to the Department of Public Works, Watershed Management Division; one adopted copy of this letter to the Auditor-Controller; and two adopted copies of this letter to the Chief Executive Office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dean D. Efsthion", written over a horizontal line.

DEAN D. EFSTATHIOU
Acting Director of Public Works

DDE:MP:sw

Attach.

c: Chief Executive Office (Lari Sheehan)
County Counsel
Auditor-Controller
Department of Public Social Services (GAIN/GROW Program)

REQUEST FOR APPROPRIATION ADJUSTMENT
DEPARTMENT OF PUBLIC WORKS

NO. 690

October 7, 2008

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO
ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR
ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FISCAL YEAR 2008-09
4-VOTE BUDGET ADJUSTMENT

SOURCESUSES

PROVISIONAL FINANCING USES - VARIOUS

NONDEPARTMENTAL SPECIAL ACCOUNT

A01-CB-2000-13749-13760

6,700,000

A01-CB-6100-13690

6,700,000

Services and Supplies

Other Financing Uses

DECREASE APPROPRIATION

INCREASE APPROPRIATION

PW - FLOOD CONTROL DISTRICT

PW - FLOOD CONTROL DISTRICT

B07-PW -96-9911-47000

6,700,000

B07-PW -2000-47000

6,700,000

Revenue - Operating Transfer In

Services and Supplies

INCREASE REVENUE

INCREASE APPROPRIATION

\$13,400,000

\$13,400,000

JUSTIFICATION

This adjustment is necessary to authorize the transfer of funding from Provisional Financing Uses to the Department of Public Works Flood Control District for the Urban Runoff and Stormwater Quality Engineering Consultant Services Agreement for the unincorporated area.

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

(Control No. 09-02)

DEAN D. EFSTATHIOU, Acting Director

CHIEF ADMINISTRATIVE OFFICER'S REPORT

58

OCT 21 2008

Sachi A. Hamai
SACHI A. HAMAI

REFERRED TO THE CHIEF
ADMINISTRATIVE OFFICER FOR---

EXECUTIVE OFFICER

APPROVED AS REQUESTED

AS REVISED

RECOMMENDATION

CHIEF ADMINISTRATIVE OFFICER

AUDITOR-CONTROLLER

BY

APPROVED (AS REVISED):
BOARD OF SUPERVISORS

BY

NO.

047

Oct 8, 2008

DEPUTY COUNTY CLERK